

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF PENNSYLVANIA**

Sean Parnell and Luke Negron,
Plaintiffs,

v.

Allegheny County Board of Elections; Rich Fitzgerald, in his official capacity as a member of the Allegheny County Board of Elections; Samuel DeMarco III, in his official capacity as a member of the Allegheny County Board of Elections; and Bethany Hallam, in her official capacity as a member of the Allegheny County Board of Elections,

Defendants.

No. 20-cv-1570

[PROPOSED] ANSWER

Intervenor-Defendants DCCC and Conor Lamb, by and through their attorneys, submit the following Answer to Plaintiffs' Complaint for Declaratory and Injunctive Relief. Intervenor respond to the allegations in the Complaint as follows:

1. Intervenor admit the allegations in Paragraph 1.
2. Intervenor admit the allegations in Paragraph 2.
3. Intervenor admit the allegations in Paragraph 3.
4. Intervenor admit the allegations in Paragraph 4.
5. Intervenor admit the allegations in Paragraph 5.
6. Intervenor admit the allegations in Paragraph 6.
7. Intervenor admit the allegations in Paragraph 7.
8. Paragraph 8 contains mere characterizations, legal contentions, and conclusions to

which no response is required.

9. Intervenor admit the allegations in Paragraph 9.

10. Paragraph 10 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

11. Paragraph 11 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

12. Intervenor deny the allegations in Paragraph 12.

13. Intervenor are without sufficient information or knowledge with which to form a belief as to the truth or falsity of the allegations in Paragraph 13.

14. Intervenor are without sufficient information or knowledge with which to form a belief as to the truth or falsity of the allegations in Paragraph 14.

15. Intervenor are without sufficient information or knowledge with which to form a belief as to the truth or falsity of the allegations in Paragraph 15.

16. Paragraph 16 contains mere characterizations, legal contentions, and conclusions to which no response is required.

17. Intervenor deny the allegations in Paragraph 17.

18. Intervenor deny the allegations in Paragraph 18.

19. Intervenor deny the allegations in Paragraph 19.

20. Intervenor admit that the general election will take place on November 3, that 28,000 misprinted ballots were sent to Allegheny County voters, and that Satellite Offices were scheduled for October 17 and 18. The remainder of Paragraph 20 contains mere characterizations, legal contentions, and conclusions to which no response is required .

21. Paragraph 21 contains mere characterizations, legal contentions, and conclusions to which no response is required.

22. Intervenor deny the allegations in Paragraph 23.

23. Intervenor deny the allegations in Paragraph 18.

24. Paragraph 24 contains mere characterizations, legal contentions, and conclusions to which no response is required.

25. Paragraph 25 contains mere characterizations, legal contentions, and conclusions to which no response is required.

26. Intervenor are without sufficient information or knowledge with which to form a belief as to the truth or falsity of the allegations in Paragraph 26.

27. Intervenor are without sufficient information or knowledge with which to form a belief as to the truth or falsity of the allegations in Paragraph 27.

28. Intervenor admit the allegations in Paragraph 28.

29. Intervenor admit the allegations in Paragraph 29.

30. Intervenor admit the allegations in Paragraph 30.

31. Intervenor admit the allegations in Paragraph 31.

32. Intervenor admit that voting is a fundamental right.

33. Paragraph 33 contains mere characterizations, legal contentions, and conclusions to which no response is required.

34. Intervenor deny the allegations in Paragraph 34.

35. Intervenor deny the allegations in Paragraph 35.

36. Intervenor deny the allegations in Paragraph 36.

37. Intervenor deny the allegations in Paragraph 37.

38. Intervenors deny the allegations in Paragraph 38.

39. Intervenors admit the allegations in Paragraph 39.

40. Intervenors admit the allegations in Paragraph 40.

41. Intervenors admit the allegations in Paragraph 41.

42. Intervenors admit the allegations in Paragraph 42.

43. Intervenors are without sufficient information or knowledge with which to form a belief as to the truth or falsity of the allegations in Paragraph 43.

44. Intervenors admit that any voter that resides in Allegheny County is allowed to apply for, vote, and submit mail-in and absentee ballots at satellite offices in Allegheny County.

45. Paragraph 45 quotes language from the Allegheny County website, which speaks for itself, and to which no response is required.

46. Paragraph 46 quotes language from the Allegheny County website, which speaks for itself, and to which no response is required.

47. Paragraph 47 quotes language from the Allegheny County website, which speaks for itself, and to which no response is required.

48. Paragraph 48 quotes language from the Allegheny County website, which speaks for itself, and to which no response is required.

49. Paragraph 49 quotes language from the Allegheny County website, which speaks for itself, and to which no response is required.

50. Paragraph 50 quotes language from the Allegheny County website, which speaks for itself, and to which no response is required.

51. Paragraph 51 quotes language from the Allegheny County website, which speaks for itself, and to which no response is required.

52. Paragraph 52 quotes language from the Allegheny County website, which speaks for itself, and to which no response is required.

53. Paragraph 53 quotes language from the Allegheny County website, which speaks for itself, and to which no response is required.

54. Paragraph 54 contains mere characterizations, legal contentions, and conclusions to which no response is required.

55. Paragraph 55 contains mere characterizations, legal contentions, and conclusions to which no response is required.

56. Paragraph 56 contains mere characterizations, legal contentions, and conclusions to which no response is required.

57. Paragraph 57 contains mere characterizations, legal contentions, and conclusions to which no response is required.

58. Paragraph 58 contains mere characterizations, legal contentions, and conclusions to which no response is required.

59. Paragraph 59 contains mere characterizations, legal contentions, and conclusions to which no response is required.

60. Intervenor deny the allegations in Paragraph 60.

61. Intervenor are without sufficient information or knowledge with which to form a belief as to the truth or falsity of the allegations in Paragraph 61.

62. Intervenor are without sufficient information or knowledge with which to form a belief as to the truth or falsity of the allegations in Paragraph 62.

63. Paragraph 63 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

64. Paragraph 64 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

65. Intervenor admit the allegations in Paragraph 65.

66. Intervenor deny the allegations in Paragraph 66.

67. Intervenor deny the allegations in Paragraph 67.

68. Intervenor are without sufficient information or knowledge with which to form a belief as to the truth or falsity of the allegations in Paragraph 68.

69. Intervenor are without sufficient information or knowledge with which to form a belief as to the truth or falsity of the allegations in Paragraph 69.

70. Intervenor admit that voting is occurring in Allegheny County but deny the remaining allegations in Paragraph 70.

71. Paragraph 71 contains mere characterizations, legal contentions, and conclusions to which no response is required.

72. Paragraph 72 contains mere characterizations, legal contentions, and conclusions to which no response is required.

73. Paragraph 73 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

74. Paragraph 74 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

75. Paragraph 75 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

76. Paragraph 76 contains mere characterizations, legal contentions, and conclusions to which no response is required. To the extent a response is required, Intervenor deny the allegations.

COUNT 1

77. Intervenor incorporate by reference all of their responses in the preceding and ensuing paragraphs as if fully set forth herein.

78. Paragraph 78 contains mere characterizations, legal contentions, and conclusions to which no response is required.

79. Paragraph 79 contains mere characterizations, legal contentions, and conclusions to which no response is required.

80. Intervenor admit the allegations in Paragraph 80.

81. Intervenor are without sufficient information or knowledge with which to form a belief as to the truth or falsity of the allegations in Paragraph 81.

82. Intervenor are without sufficient information or knowledge with which to form a belief as to the truth or falsity of the allegations in Paragraph 82.

83. Intervenor are without sufficient information or knowledge with which to form a belief as to the truth or falsity of the allegations in Paragraph 83.

84. Intervenor is without sufficient information or knowledge with which to form a belief as to the truth or falsity of the allegations in Paragraph 84.

85. Paragraph 85 contains mere characterizations, legal contentions, and conclusions to which no response is required.

86. Intervenor denies the allegations in Paragraph 86.

COUNT 2

87. Intervenor incorporates by reference all of their responses in the preceding and ensuing paragraphs as if fully set forth herein.

88. Paragraph 88 contains mere characterizations, legal contentions, and conclusions to which no response is required.

89. Paragraph 89 contains mere characterizations, legal contentions, and conclusions to which no response is required.

90. Intervenor denies the allegations in Paragraph 90.

91. Intervenor denies the allegations in Paragraph 91.

92. Intervenor denies the allegations in Paragraph 92.

93. Intervenor admits that properly qualified poll watchers will be allowed to be present at polling locations on election day in Allegheny County.

94. Intervenor denies the allegations in Paragraph 94.

95. Intervenor denies the allegations in Paragraph 95.

PRAYER FOR RELIEF¹

WHEREFORE, Intervenor respectfully request that this Court:

¹ The headings in the Complaint are not part of the allegations but to the extent that they are, Intervenor denies them as well.

- A. Deny that Plaintiffs are entitled to any relief;
- B. Dismiss the complaint in its entirety, with prejudice; and
- C. Grant such other and further relief as the Court may deem just and proper.

Dated: October 22, 2020.

Respectfully submitted,

/s/ _____

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**Motions for Admission Pro Hac Vice
Forthcoming*